UNITED
NATIONS

A

General Assembly

Distr.
GENERAL

A/AC.96/825/Part IV/4
5 August 1994

Original: ENGLISH

EXECUTIVE COMMITTEE OF THE
HIGH COMMISSIONER'S PROGRAMME

Forty-fifth session

UNHCR ACTIVITIES FINANCED BY VOLUNTARY FUNDS: REPORT FOR 1993-1994 AND PROPOSED PROGRAMMES AND BUDGET FOR 1995

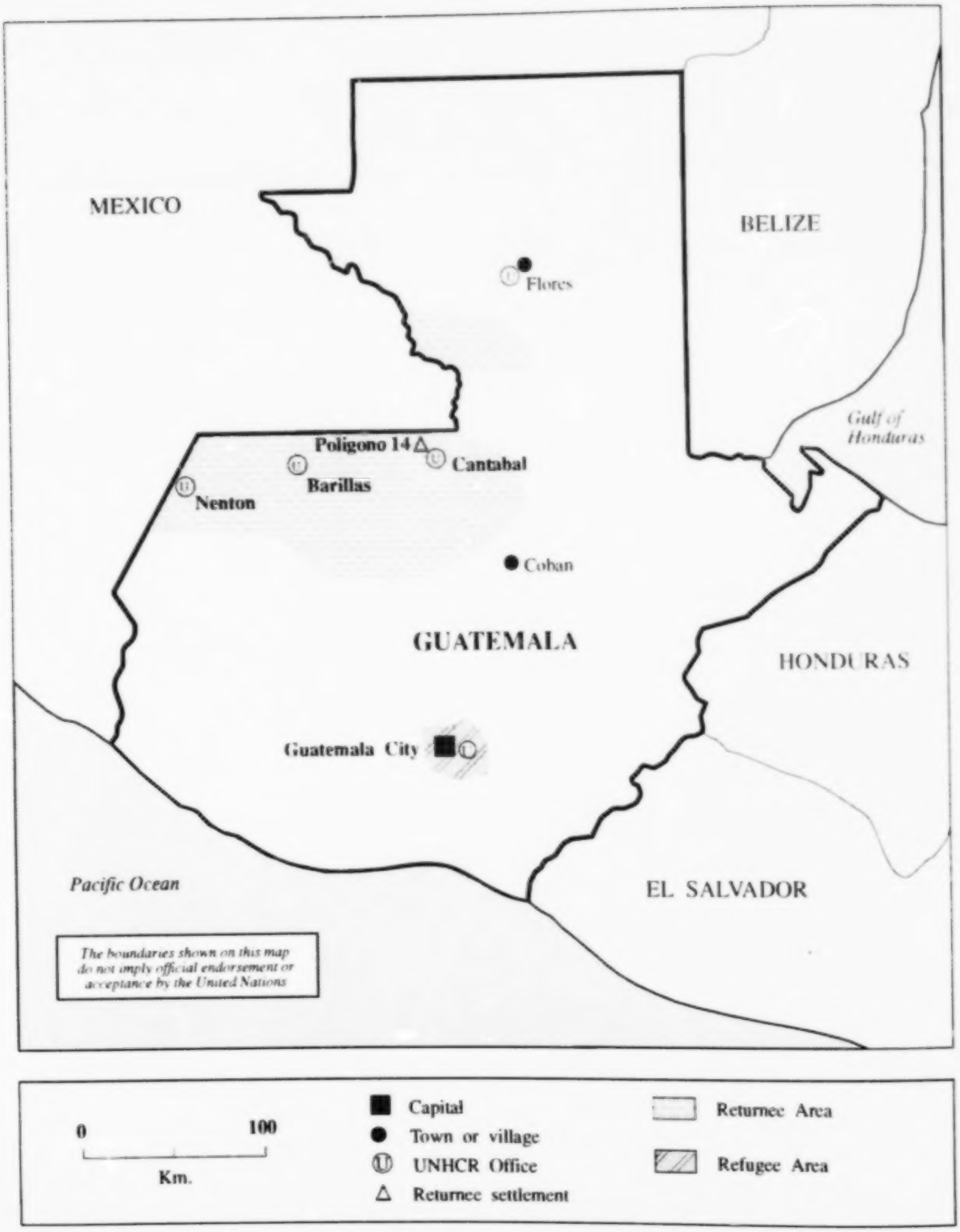
PART IV. THE AMERICAS AND THE CARIBBEAN

Section 4 - Guatemala

(Submitted by the High Commissioner)

GE.94-03028

GUATEMALA


MEXICO
BELIZE
Flores
Gulf of Honduras
Poligono 14
Cantabal
Barillas
Nenton
Coban
GUATEMALA
HONDURAS
Guatemala City
Pacific Ocean
EL SALVADOR
The boundaries shown on this map do not imply official endorsement or acceptance by the United Nations
0
100
Km.
Capital
Town or village
UNHCR Office
Returnee settlement
Returnee Area
Refugee Area

IV.4 GUATEMALA

Country Overview

Characteristics of the refugee and returnee population

1. At 31 December 1993, the refugee population in Guatemala numbered 4,689 persons, consisting of 2,402 Salvadorians, 2,194 Nicaraguans, 35 Hondurans and 58 from other countries. In 1993, 5,093 Guatemalan refugees repatriated mainly from Mexico (5,061 persons), bringing the total number of Guatemalan refugees assisted since 1987 by the UNHCR voluntary repatriation programme to some 13,000 persons. The breakdown of the recognized refugee population is as follows:

Country of Origin	Number 01/01/93	Number 31/12/93	Location
Nicaragua	2,262	2,194	Guatemala City
El Salvador	2,426	2,402	Guatemala City
Various	88	93	Guatemala City

2. A breakdown by gender and age group for recognized refugees will be available after completion of a census planned for 1994. Of the Guatemalan returnee caseload, 2,720 were aged 0 to 4 and 4,120 were aged 5 to 14.

3. All of the refugees are of urban background and live in the Guatemala City region. The Guatemalan returnees are from various ethnic groups, mainly Mam, Qanjob'al, Jaka'lteco and Chuj, and are resettled primarily in the Departments of Huehuetenango, Quiché, Alta Verapaz and Petén. Virtually all the returnees are of rural background and engage in subsistence agricultural production.

Major developments (1993 and first quarter 1994)

4. At the end of January and in June 1994, several Mexican families crossed the border into Guatemala following an uprising in Chiapas. All eventually returned. Concerns that the disturbances would provoke a major outflow of Mexicans to Guatemala later proved to be unfounded.

5. The issue of internally displaced persons in Guatemala has acquired a new dimension with internally displaced spontaneously moving in February 1994 from the Ixcan conflict zone and resettling in more open areas within their place of origin in the Ixcan region. Of specific interest to UNHCR are internally displaced members of the Ixcan Grande Cooperative, which is the destination of several thousand refugees who are also cooperative members. Finding a durable solution for returnees and internally displaced persons is closely linked and may lead UNHCR in 1994 to look into ways of extending its good offices to internally displaced persons in Ixcan and other regions.

6. The Human Rights Agreement signed on 29 March 1994, the Agreement for the Resettlement Of Populations Displaced by Armed Conflict signed in Oslo 17 June

1994, and the Agreement signed on 23 June 1994 between the Government of Guatemala and the Guatemalan National Revolutionary Army (URNG) to set up a Truth Commission opened new prospects for a firm and lasting peace.

Programme objectives and priorities

7. The Office of the UNHCR Chargé de Mission in Guatemala has established the following country programme objectives for 1994 and 1995:

Central American refugees

8. Local integration is seen as the preferred durable solution for refugees who have not opted to repatriate to El Salvador and Nicaragua, despite the situation having improved in the last few years in those two countries of origin. A new local integration programme will therefore consolidate legal initiatives to facilitate residence and work permits while promoting self-sufficiency, and a repatriation programme will be maintained for those who opt for return.

Other refugees

9. Voluntary repatriation will continue to be pursued as the most desirable solution for refugees arriving from countries outside Central America. Modest amounts of material assistance will continue to be provided, mainly for new, needy refugees pending identification of the most appropriate durable solution for each case.

Returnee programme

10. Material and logistical assistance will be provided for the repatriation and reception of some 10,000 and 8,000 Guatemalan refugees expected to return during 1994 and 1995, respectively, through UNHCR-assisted individual or collective repatriations. Major objectives of the programme are to ensure that problems of land tenure or access to land are resolved prior to the actual repatriation and collective return process and that the movements take place in an orderly fashion with the consent of all parties. The recent troubles in Chiapas, Mexico, where a large number of Guatemalan refugee camps are located, could, if they persist, have the effect of accelerating the return process and creating pressures to find land for returnees.

Arrangements for implementation/related inputs

11. The legal firm Bufete Abularach, in close coordination with UNHCR, provides legal and material assistance to refugees. The International Organization for Migration (IOM) facilitates international land and air transport for repatriations from Guatemala. The Government agency Comisión Nacional para la Atención a Repatriados, Refugiados y Desplazados (CEAR), has hired a consultant to elaborate a strategy for legalising the status of refugees.

12. CEAR is UNHCR's main implementing partner for the reception, documentation and provision of basic individual and family assistance to returnees. The Government of Guatemala complements the returnee programme by providing

administrative and operational staff to CEAR as well as credits for the purchase of land provided to returnees through the Fondo Nacional para la Paz (FONAPAZ). Credits for some productive activities are also provided by the Government through the Fondo de Reinserción Laboral y Productiva (FORELAP).

13. The Canadian non-governmental organization (NGO) Centre Canadien d'Etudes et de Coopération Internationale (CECI) administers UNHCR's community-focused quick impact projects (QIPs) to support the reintegration of returnees in Guatemala. The QIPs are implemented by a wide range of NGOs, organized community groups and church dioceses, through agreements between CECI and the implementing partners. In addition, various NGOs such as Médecins Sans Frontières, Médecins du Monde and Vétérinaires sans Frontières implement primary health care and veterinary activities during repatriation and upon arrival at the intended destination.

14. The German branch of the NGO International Physicians for the Prevention of Nuclear War (IPPNW) implements a programme in Ixcan for the reduction of risks associated with mines.

15. Some 1,652 metric tons of basic food supplies valued at $ 0.6 million are to be mobilized in 1994 through WFP for returnee rations, of which a portion will be provided to refugees upon departure from Mexico. In 1995 WFP will commence a Quick Action Project for poverty-stricken communities in areas affected by conflict, to include returnees who have not yet achieved self-sufficiency.

16. The process initiated by the International Conference on Central American Refugees (CIREFCA) for uprooted populations in Guatemala will continue with the close collaboration already forged between UNHCR and UNDP, although procedures will be modified in line with the focus of the post-CIREFCA phase to enhance close coordination between the development activities of UNDP, the Government and aid institutions, and UNHCR's QIPs. Where possible, UNHCR will also coordinate reintegration activities within the framework of UNDP's regionally focused human development policy. The collaboration of other United Nations agencies in supporting both the repatriation and reintegration processes may be reinforced through technical and material assistance inputs from specialized agencies such as UNICEF, FAO and the United Nations Centre for Human Settlements (Habitat) as discussions to define possible avenues of cooperation with these agencies have already reached an advanced stage.

General Programmes

(a) Variations in planned activities in 1993

17. In 1993, refugees received legal assistance and minimal material support from UNHCR for a maximum three-month period, since it was assumed that most refugees would decide to return home through the voluntary repatriation programme. This assumption has proved to be partly inaccurate, as only 94 Nicaraguan and 12 Salvadorian refugees requested repatriation assistance, although a larger number probably repatriated spontaneously. As in 1992, refugees sought continued material assistance, so emphasis has been placed on local integration possibilities. Continuing discussions were held with the Government of Guatemala to create opportunities for local integration and to streamline legal procedures for residence and change of refugee status. Following the change of Government in June

1993, the new authorities reaffirmed the Government's will to assist in the reorientation of durable solutions for refugees; by the end of the year a proposal was being studied, which had been submitted by UNHCR to legalize the status of refugees so as to grant them rights comparable to those of Guatemalan citizens.

(b) **1994 planned implementation**

18. A local integration project started in January 1994 under which the Government of Guatemala, through a consultancy funded by UNHCR, will elaborate a strategy to facilitate legal aspects of integration. A census of the refugee population planned for 1994 will determine the number of refugees who may have spontaneously repatriated, the gender and age breakdown of the refugee population, and the socio-economic profile of the refugees who intend to remain in Guatemala. The results of the census and a socio-economic survey will also allow an adjustment to planning assumptions and a better definition of the type and degree of support required to achieve integration. Assistance foreseen in 1994 and 1995 will give special attention to the integration needs of vulnerable groups and female heads of households. Integration assistance in the form of credits for small businesses will be provided in 1994 by a legal firm already working closely with UNHCR, which will also assist in obtaining residence and work permits and documentation so that the legal and economic position of refugee businesses and cooperatives can be formalized.

19. Assistance will continue in 1994 for the voluntary repatriation of a small number of refugees expected to return to El Salvador and Nicaragua. The durable solution of refugees from other countries will be assessed on a case-by-case basis and, where appropriate, referrals will be made to embassies with direct resettlement programmes, as was the case for 26 refugees in 1993.

(c) **1995 programme proposals**

Voluntary repatriation

20. A small provision is made in 1995 to cover the voluntary repatriation, primarily of non-Central American refugees.

Local settlement

21. The scope of assistance will be expanded in 1995 to include housing assistance, as well as other inputs that will be determined once the legal, social and economic situation of refugees and their long-term prospects are better known, following a census to be undertaken in 1994. The mixed grant/revolving credit scheme will be expanded to cover more beneficiaries and to increase the maximum allowance per applicant so as to support diverse small family businesses or cooperative initiatives. All refugees desiring to remain in Guatemala will be assisted to obtain permanent residence status and possibly Guatemalan nationality for those Central American refugees who seek it. It is expected that by the end of 1995 a durable solution will have been found for most, if not all, refugees.

Special Programmes

Returnee programme

(a) **Variations in planned activities in 1993**

22. The collective returns organized by the Permanent Commissions of Guatemalan Refugee Representatives in Mexico, which finally commenced in January 1993, came to a stand-still because of the lengthy procedure for identifying land available for new collective settlements and credit being requested for the purchase of private lands. In addition, the political changes that took place in May 1993 affected the process as refugees decided to plant their crops in Mexico while waiting for the situation to stabilize in Guatemala. Once the governmental changes had taken place, the process of validating the accords and resuming discussions with the new CEAR authorities for the return and reintegration process was able to begin. Individual repatriations continued to take place, although at a reduced rate compared to previous years.

23. The slow process of land acquisition is the main constraint encountered by returnees. Whether by official allocation of national land, purchase of private land or the recovery of land previously owned by refugees, each approach has its particular constraints either due to scarcity, high cost of land or the need to solve the situation of existing occupants. Since the accords signed between the Permanent Commissions and the Government on 8 October 1992 stipulate resolution of the land issue prior to return, in all three cases it involved numerous visits of refugees to identify land, negotiate with the relevant institutions and prepare resettlement sites for collective returns. In 1993, UNHCR provided financial and logistical support for over 50 visits by refugees to Guatemala. Progress on land identification was a major factor in determining the date of collective repatriations, destinations and the number of returnees. Consequently, the assistance programme had to be constantly adapted to changing circumstances.

24. The first two collective returns, which took place in January and December 1993 to the Ixcan region, necessitated the creation of temporary settlements, albeit for different reasons. In the first case, after prolonged negotiations, refugees insisted on settling 500 families on the national land of "Polígono 14", instead of the 250 families that the land could sustainably support, which was eventually accepted by the main negotiating parties. Following the group's arrival the community sought land for the 250 additional returnee families until March 1994, when a site was finally identified for purchase. During this first collective return the refugees' wish for a circuitous itinerary within Guatemala in order to reach their destination was accepted, in view of its symbolic importance and the refugees' desire for reconciliatory encounters with Guatemalan society.

25. During the second collective return to the cooperative lands of Ixcan Grande a temporary settlement had to be created in Veracruz at a few kilometres distance from the final destination of Pueblo Nuevo, because of the presence of a military detachment. It was only in March 1994 that returnees were able to proceed to their intended destination. The unusual circumstances of these first two returns made it necessary to modify planning assumptions and requirements.

26. As foreseen, the scope of QIPs was expanded throughout the year, although numerous modifications were made to individual QIPs as a result of the dynamic process of beneficiary participation in the identification and implementation of these community activities. Most QIPs were implemented in areas hosting individual returnees who continue to live in precarious conditions. During the latter half of the year, greater emphasis was placed on community organization and the active participation of women in order to help communities assume their share of commitments for the future sustainability of these projects, and to foster reconciliation and a sense of community among different population groups living side by side. Although this process slowed the rate of implementation, it is now considered essential to ensuring the validation of QIPs by the beneficiaries and to enhancing their durability. An important QIP involved the construction of community buildings prior to the formal repatriation of the refugees, so as to serve as collective shelters during the immediate arrival phase.

(b) 1994 planned implementation

27. Both collective and regularly scheduled individual repatriations continue in 1994 with an emphasis on collective returns to lands identified during refugee visits in 1993 and 1994.

28. A transit centre will be constructed in Ixcan, the final destination of a large proportion of returnees. Owing to difficult access to some areas foreseen for collective returns in 1994, in-country transportation of returnees by small aircraft will be considered, especially for vulnerable groups.

29. To improve implementing arrangements, exploratory contacts are being made with institutions to transfer certain assistance activities such as documentation. Simultaneously, increased emphasis is being placed on training implementing partners.

30. Reintegration through QIPs will continue at an increased pace in 1994, particularly in twelve priority areas which consists of more than 120 village communities with a high proportion of returnees. QIP resources will be spread amongst these communities to assist needy villages and promote reconciliation amongst the different populations, with priority given to urgent needs of collective returns.

31. Infrastructure QIPs will continue to focus on community buildings and services in collective return sites, health posts and schools in isolated villages, and feasibility studies for projects with a regional impact, such as roads or bridges, where development funds may be coordinated through CIREFCA channels for the actual construction. They will continue to promote community organization in dispersed villages where individual returnees settle, with increasing focus on time-saving and income-generating activities for returnee women, particularly single heads of households.

32. During the first quarter of 1994, UNICEF, in collaboration with UNHCR, sponsored a mine awareness campaign among returnees in Ixcan which began implementation under a specialized NGO in May 1994. Special measures are necessary to minimize security risks, since some of the destinations chosen by returnees were until recently within conflict zones, or are currently adjacent to them. The

future implementation of a comprehensive humanitarian de-mining operation depends largely on the progress of the peace dialogue between the Government and the URNG, with the mediation of the United Nations.

33. In order to increase the presence of UNHCR staff in returnee communities during the first months following each return in response to protection needs and the expectations of many donors and international observers, UNHCR will continue to pursue the secondment of personnel from the Norwegian Refugee Council and the Swedish Volunteer Service.

(c) 1995 programme proposals

34. It is expected that the repatriation and returnee reintegration process will continue at a similar pace in 1995 subject to stabilization of the situation in Chiapas, Mexico, and results of the peace negotiations between the Government and the URNG.

35. Collective returns are expected to continue to the Ixcan and Barillas regions of the Departments of Quiché and Huehuetenango, and perhaps also to Alta Verapaz and Petén. In the case of Petén, however, final decisions must take into account environmental protection of rain forest zones, and would necessitate the reorientation of returnees from traditional maize cultivation to diversified income-generation activities such as forestry management and non-traditional crops.

36. Adult literacy and vocational training activities that were initiated in refugee camps in Mexico will continue to be supported by UNHCR in Guatemala with minimum interruption until other institutions establish a presence in returnee areas or expand their capacity to handle these activities. This training will be implemented mainly through QIPs along with productive activities or construction of educational infrastructure, and will target unaccompanied minors and refugee women's organizations which will, in due course, be able to carry on with such training in communities consisting of local, non-returnee women.

Programme Delivery and Administrative Support Costs

(a) Variations in planned activities in 1993

37. Programme delivery and administrative support costs in Guatemala were substantially lower than the revised 1993 estimate because of the lower than projected rate of repatriations to Guatemala.

(b) 1994 planned implementation

38. Revised estimates for 1994 have not changed significantly from initial estimates, although they are higher than in 1993 since the returnee programme has gathered momentum.

39. Given limited returns to the area and a need to prepare returns to other locations such as Alta Verapaz and the southern coast, the Field Office in Bethel has been closed, resulting in the discontinuation of two driver posts and a secretary effective 30 June 1994. The Head of Field Office post will be

transferred to Guatemala City on 1 July 1994 to act as a roving Field Officer, covering returns in various areas as needed. An Associate Repatriation Officer (UNV) has been moved to Flores in the Department of Petén to enhance coordination with departmental authorities, environmental agencies and others in preparation for returns. A driver post was also created for Flores effective 1 July 1994.

40. Two General Service posts have been created in Guatemala City from 1 May 1994 to assist with telecommunications and the implementation of joint procurement with implementing partners (particularly CEAR) not exempt from sales taxes and customs duties. Anticipated savings utilizing such exemptions are estimated at $ 100,000 for 1994.

41. Measures are being taken to improve cost-effectiveness of in-country transportation for staff by regularly reviewing the difference in the cost of air and land transport between Guatemala City and the various field locations.

(c) **1995 initial estimates**

42. In 1995, programme delivery and administrative costs are expected to decrease slightly as the rate of Guatemalan repatriations slows down.

43. No staffing changes have been foreseen, although changes of duty station for some field staff may have to be considered, should negotiations on the land issue point to major changes in the destinations of refugees.

UNHCR EXPENDITURE IN GUATEMALA

(in thousands of United States dollars)

1993	1994		1995	
AMOUNT OBLIGATED	ALLOCATION APPROVED BY 1993 EXCOM	PROPOSED REVISED ALLOCATION	SOURCE OF FUNDS AND TYPE OF ASSISTANCE	PROPOSED ALLOCATION/ PROJECTION
GENERAL PROGRAMMES (1)				
1.2 a/	–	–	CARE AND MAINTENANCE	–
80.6	104.2	49.6	VOLUNTARY REPATRIATION	47.9
3.2 a/	–	84.3 b/	LOCAL SETTLEMENT	138.7
1.0 a/	–	–	RESETTLEMENT	–
86.0	**104.2**	**133.9**	**SUB-TOTAL OPERATIONS**	**186.6**
86.0	**104.2**	**133.9**	**T O T A L (1)**	**186.6**
SPECIAL PROGRAMMES (2)				
			OTHER TRUST FUNDS	
4,418.3	7,275.6	6,271.5	REPATRIATION/RETURNEE PROGRAMME	5,710.0
–	–	1,332.0	PROGRAMME DELIVERY See Annexes I a and II a	1,273.8
–	–	169.2	ADMINISTRATIVE SUPPORT See Annexes I b and II b	169.0
128.7	115.0	115.0	Junior Professional Officer	115.0
4,547.0	**7,390.6**	**7,887.7**	**T O T A L (2)**	**7,267.8**
4,633.0	**7,494.8**	**8,021.6**	**GRAND TOTAL (1+2)**	**7,454.4**

a/ obligation incurred against Overall Allocation
b/ allocated from Global and Other Regional Programmes